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ROWLAND MARCUS ANDRADE

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROWLAND MARCUS ANDRADE,

Defendant.

Case No.: 3:20-CR-00249-RS-LBx

**DECLARATION OF CINDY A.
DIAMOND IN SUPPORT OF
DEFENDANT'S MOTION TO REMOVE
INCORRECTLY FILED DOCUMENTS**

I, Cindy A. Diamond, hereby state and declare:

1. I am an attorney, duly licensed to practice law in California and before this Court, and

DECLARATION OF CINDY A. DIAMOND IN SUPPORT OF DEFENDANT'S MOTION TO REMOVED
INCORRECTLY FILED DOCUMENTS

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1 I am one of the attorneys representing defendant Rowland Marcus Andrade in the above-entitled
2 matter.

3 2. Yesterday, late in the day, the defense team filed a status report and declaration with
4 exhibits; the declaration was in support of the status report, and authenticated exhibits consisting
5 of copies of communications between defense counsel and the government regarding discovery
6 matters. The documents were designated as docket # 173 and 173-1 on the court's ECF filing
7 system.

8 3. This morning a colleague noticed that inadvertently, some of Exhibit 4 attached to
9 document number 173-1, which was a detailed 13-page single-spaced letter from defense counsel
10 to the government, contained material referencing witnesses and investigations that did not
11 pertain to the status report, and should not be publicly available. A member of this Court's staff
12 was contacted promptly, and Docket numbers 173 and 173-1 were locked-down; that is, they
13 were restricted from public view.

14 4. Attorney Kerrie Dent, my colleague representing Mr. Andrade, removed the exhibits
15 and the references to them. We determined it was unnecessary to include any of the exhibits,
16 since Ms. Dent was a party to the relevant communication with the government and had related
17 that matter to the Court under oath in her declaration. On our client's behalf, I filed the status
18 report and declaration today; they are Docket numbers 174 and 174-1, respectively.

19 5. This declaration and its accompanying motion are written to request removal of
20 Docket numbers 173 and 173-1, permanently. Those documents have been replaced by Docket
21 numbers 174 and 174-1, now on file, and thus, they are unnecessary.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is
23 true and correct. Dated May 18, 2023, at San Francisco, California.

24
25 /s/

26 _____
27 CINDY A. DIAMOND
28 Declarant